

A. G. Contract No. KR94 1767TRN  
ECS File No.: JPA 94-127  
Project: Various ADOT ORGS  
Section: Provide Training

**INTERGOVERNMENTAL AGREEMENT**  
BETWEEN  
THE STATE OF ARIZONA  
AND  
MOHAVE COMMUNITY COLLEGE

THIS AGREEMENT is entered into 13 October, 1994,  
pursuant to Arizona Revised Statutes, Sections 11-951 through  
11-954, as amended, between the STATE OF ARIZONA, acting by and  
through its DEPARTMENT OF TRANSPORTATION (the "State") and the  
MOHAVE COMMUNITY COLLEGE, acting by and through its PRESIDENT  
(the "College").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes  
Section 28-108 to enter into this agreement and has by  
resolution, a copy of which is attached hereto and made a part  
hereof, resolved to enter into this agreement and has delegated  
to the undersigned the authority to execute this agreement on  
behalf of the State.

2. The College is empowered by Arizona Revised Statutes  
Section 15-1444 to enter into this agreement and has by  
resolution, a copy of which is attached hereto and made a part  
hereof, resolved to enter into this agreement and has  
authorized the undersigned to execute this agreement on behalf  
of the College.

3. The State has a continuing requirement for various  
trade, technical and professional training such as welding,  
construction inspection, leadership certification, etc. The  
State does not employ the necessary technically skilled  
instructors to provide this training. The College has agreed  
to arrange and provide the desired training.

THEREFORE, in consideration of the mutual agreements expressed  
herein, it is agreed as follows:

NO. <u>19042</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>10/13/94</u>
<u>Richard Mahoney</u> Secretary of State
By <u>Nicky Greenwood</u>

## II. SCOPE

### 1. The State will:

a. Appoint a training coordinator within the ADOT to interface with the College relating to the training. Provide appropriate advance notification to the College of the various types of desired training. Coordinate as required with the College to arrange and receive the training.

b. Be responsible for all costs or fees associated with the training, as in a typical community college/student relationship, in an amount estimated at \$20,000.00 per state fiscal year.

c. Reimburse the College within 30 days after receipt and approval of training invoices. Such reimbursements will be in the form of State purchase orders, financed by the budget of the individual organizations within ADOT receiving the training.

### 2. The College will:

a. Appoint a training coordinator within the organization to interface with the State relating to the training. Coordinate the administrative aspects of the training.

b. Provide training curriculum and approved certified instructors for courses requested by the State that have an agreed minimum number of enrollees.

c. Invoice the State upon the beginning of each class.

## III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until cancelled by either party upon thirty (30) days written notice to the other, or other competent authority.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
Human Resource Development Center  
1130 North 22nd Avenue Mail Drop 069R  
Phoenix, AZ 85009-3716

Mohave Community College  
President  
1971 Jagerson Avenue  
Kingman, AZ 86401

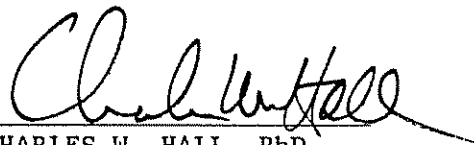
7. Attached hereto and incorporated herein is the written determination of legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

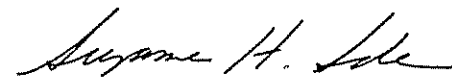
IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

**MOHAVE COMMUNITY COLLEGE**

**STATE OF ARIZONA**

Department of Transportation

By   
CHARLES W. HALL, PhD  
President


By   
SUZANNE H. SALE, Director  
Administrative Services  
Division

18jul  
375/22-24

RESOLUTION

BE IT RESOLVED on this 18th day of July 1994, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Administrative Services Division, to enter into an agreement with Mohave Community College for the purpose of defining responsibilities for the College to provide various trade, technical and professional training.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted for approval and execution by the Director, Administrative Services Division.

  
LARRY S. BONINE  
Director

APPROVAL OF THE MOHAVE COMMUNITY COLLEGE

ATTORNEY

I have reviewed the attached proposed agreement, between the DEPARTMENT OF TRANSPORTATION, ADMINISTRATIVE SERVICES DIVISION, and the MOHAVE COMMUNITY COLLEGE and declare this agreement to be in proper form and within the powers and authority granted to the College under the laws of the State of Arizona.

DATED this 25<sup>th</sup> day of August, 1994.

William J. Epstein  
MOHAVE COUNTY ATTORNEY

**MOHAVE COMMUNITY COLLEGE  
BOARD OF GOVERNORS'  
REGULAR MEETING  
MOHAVE VALLEY CAMPUS  
SEPTEMBER 13, 1994**

A regular meeting of the Mohave Community College Governing Board was held Tuesday, September 13, 1994, in the Mohave Room of the Mohave Valley Campus. The following members were present: Governing Board President Stuart Anderson and members Dean Finkbeiner, Dan Hargrove, and Victor Wakimoto. Also present were: Dr. Chuck Hall, Mike Tacha, Bill Tilton, Dr. Robin Walsh, Laurie Bauer, Dr. Gary Isham, Paul Kessel, Ingrid Lee, Dr. Annabelle Lewis, Dr. Jim McDonnell, and Carol Pashano.

No guests were in attendance.

**Call to Order**

Governing Board President Stuart Anderson called the meeting to order at 6:05 p.m.

**Pledge of  
Allegiance**

Anderson then led the group in the Pledge of Allegiance to the United States Flag.

**Minutes of the  
Previous Meeting**

The minutes of the August 11, 1994, regular meeting were approved as recorded on a motion by Dean Finkbeiner, second by Victor Wakimoto, and a unanimous vote of the Board.

**Audience of Any  
Citizen**

President Anderson called for the audience of any citizen. No citizen came forward.

**Board Reports**

**AADGB:** Dean Finkbeiner, Board representative to the AADGB, presented the Arizona Association of District Governing Boards report. He indicated that topics of discussion at the August AADGB meeting included the legislative platform being developed by the community college presidents, which will include planks for Small Business Development Network funding, funding for the student information system and the computer-based community college/university transfer system, and district funding. He indicated that different rationales will be used, but as Scottsdale Community College President Dr. Art DeCabooter had said, the approach of "Unity in Diversity" will be employed. The

Dr. Hall called the Board's attention to an excerpt from the technical education resource monitor newsletter called *TERM*. The excerpt indicated that, by 1995, only 20 percent of U.S. jobs will require a senior college degree, but 90 percent of jobs in this decade will require technical education beyond high school. It stated that 70 percent of the jobs in existence in 1989 are still in existence and that 1993 was the first year that new high school graduate unemployment grew while the economy was expanding. By the year 2005 more jobs are projected to open from replacement needs than from overall job growth. The article went on to say that parents rate better school-to-work programs as the most needed educational improvement. The article also pointed out that nursing graduates have taken the top salary position away from engineering graduates. Further, 43 percent of workers aged 18 to 24 are currently in minimum-wage jobs compared to 23 percent in 1981. The cost to firms of adding workers has jumped over 40 percent compared to that of adding equipment in the last five years. Large firms in 2010, the article predicted, will have less than half of the management levels and about one third of the managers they do now. The excerpt concluded with the prediction that nearly 80 percent of technician job growth in the next decade will be in the service areas, with half of this specifically in the health services area.

#### **Areas of Emphasis ~ 1993-94**

The President called the Board's attention to the Areas of Emphasis for 1993-94 as identified and evaluated by key staff. He then informed them that, at the next regularly-scheduled Board meeting, the Board will be able to view the Areas of Emphasis for the new academic year of 1994-95.

Dr. Hall informed the Board that the building project was just in the discussion/planning stages at this time last year, while it is nearly concluded now. He indicated that, while the MCC Administration is concerned about not having the facilities completed at the start of this semester, students are reportedly pleased with what has become available and excited about the prospect of the finished product.

#### **ACCT Conference: Chicago**

President Hall advised the Governing Board that Hargrove, Hero, and he are presently planning to attend the ACCT Conference in Chicago and advised the other Board members that they were welcome to join in, their schedules permitting.

#### **Intergovernmental Agreement: ADOT & MCC**

The Board reviewed and briefly discussed a proposed intergovernmental agreement (IA) between the Arizona Department of Transportation and Mohave Community College to provide a \$20,000 training program. Dan Hargrove moved for approval of the IA, Victor Wakimoto seconded the motion, and the motion carried.



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

GRANT WOODS  
ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2926

MAIN PHONE : 542-5025  
TELECOPIER : 542-4085

INTERGOVERNMENTAL AGREEMENT  
DETERMINATION

A. G. Contract No. KR94-1767-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. §11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 23rd day of September, 1994.

GRANT WOODS  
Attorney General

A handwritten signature in black ink, reading "James R. Redpath". The signature is written in a cursive style with a large, stylized "J" and "R".

JAMES R. REDPATH  
Assistant Attorney General  
Transportation Section

JRR:lsr  
8577G